

REMARKS

We acknowledge the Examiner's indication that claims 1-13, 56 and 57 are allowable and that claims 17-23, 28, 29, 34-39, and 46-52 would be allowable if rewritten in independent form including all of the features recited in base claim and intervening claims. We have amended independent claims 14, 30 and 53 to depend from independent claim 1. By these amendments we submit that claims 1-57 are in allowable condition.

We have also added claims 58-86 including independent claims 58, 66, 73, and 80. Independent claims 58, 66, 73, and 80 represent the combination of independent claim 1 with the features recited in dependent claims 16, 23, 34 (with 33) and 37, respectively. We submit that these new claims are in condition for allowance.

Prior Art Rejections

The Examiner rejected claims 14, 15, 24-27, 30, 31, and 40-44 as anticipated by Troester (U.S. 6,135,022). The Examiner also rejected dependent claims 16, 45, and 53-55 as unpatentable over Troester in view of Wadge. We submit that these claims are moot in view of applicants amendments to the claims.

If the Examiner believes that prosecution would be expedited by a discussion with applicant's representative, he is invited to call the undersigned at the phone number below.

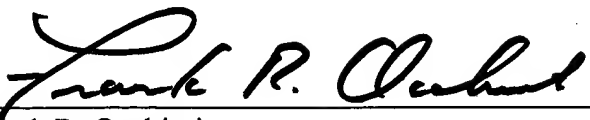
Enclosed is a \$406.00 check for excess claim fees. Please apply any charges, not covered, or credits to deposit account 06-1050.

Applicant : Alan John Lunn
Serial No. : 09/764,926
Filed : January 18, 2001
Page : 21 of 21

Attorney's Docket No.: 12805-002001 / P71663US

Respectfully submitted,

Date: July 1, 2004



Frank R. Occhiuti
Reg. No. 35,306

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

marking device.doc